

**REMARKS**

Claims 1-18 and 21 are currently pending in the application. Applicant again notes with appreciation the provisional allowance of claims 6-7 and 13. Claims 13 and 21 are amended with this response to correct inadvertent antecedent errors and are believed to be in condition for allowance. Reconsideration of the application in light of the following remarks is respectfully requested.

**I. OBJECTION TO CLAIM 21**

Claim 21 was objected to for an antecedent problem, and has been amended with this response to correct the phrase "the main circuit board" to "a main circuit board." Accordingly, claim 21 is believed to be in condition for allowance, and withdrawal of the objection is respectfully requested.

**II. REJECTION OF CLAIMS 1-5, 8-12, 14-18, AND 21 UNDER 35 U.S.C. §103(a) OVER ALTHAUS ET AL.**

Claims 1-5, 8-12, 14-18, and 21 were rejected 35 U.S.C. §103(a), as being unpatentable over Althaus et al. (U.S. Patent No. 6,422,766). Claim 21 has been amended to correct an antecedent error. Applicant respectfully requests withdrawal of the rejection of claims 1-5, 8-12, 14-18, and 21 for at least the following reasons.

- i. The arrangement of the holding and coupling part, transmitting and/or receiving element, electrical drive and/or receiving circuit, and submount, as recited in claim 1, is neither taught nor suggested by Althaus et al.*

In claim 1, the present invention recites a *holding and coupling part for receiving the transmitting and/or receiving element*. Further, claim 1 recites *the electrical drive and/or receiving circuit being arranged outside the holding and coupling part on a submount, wherein the submount lies on a plane that runs parallel to the longitudinal axis of the coupling area, and wherein the mount is*

***arranged at right angles to the submount.*** On pages 9 and 10 of the Office Action dated July 9, 2007, reference is made to Figs. 1, 3, 9, and 10 of Althaus et al., alleging that the claimed arrangement is taught. Applicant respectfully disagrees. Applicant asserts that not only is the carrier plate 27 of Althaus et al. not the claimed electrical drive and/or receiving circuit, as alleged, but even if it were considered the electrical drive and/or receiving circuit, it is not arranged ***outside a holding and coupling part for receiving the transmitting and/or receiving element.***

The holding and coupling part, as recited in claim 1, receives the transmitting and/or receiving element (see, e.g., Present Invention, holding and coupling part 2 receiving the transmitting and/or receiving element 6 in Fig. 1), wherein ***the electrical drive and/or receiving circuit is arranged outside the holding and coupling part on the submount.*** While Applicant again respectfully asserts that the carrier plate 27 of Althaus et al. is not the claimed electrical drive and/or receiving circuit, even if it were, the carrier plate 27 is clearly arranged within the housing cover 20 and outer housing 18 which receives the glass fiber 22. On page 4, lines 6-8 of the Office Action, as best understood by Applicant, an arrangement of the items 21 and 19 of Althaus et al. are cited as the mount and submount arrangement of claim 1, wherein the end face 21 of the housing cover 20 is said to be at right angles to the baseplate 19. However, if items 21 and 19 of Althaus et al. are to be construed as the mount and submount, and the carrier plate is construed as the electrical drive and/or receiving circuit, ***the carrier plate is clearly not arranged outside a holding and coupling part on the submount, as the carrier plate is clearly arranged within the housing cover 20*** (see, e.g., Althaus et al., Figs. 3A-3B).

As such, the claimed invention is clearly neither taught nor suggested by the cited art. Accordingly, reconsideration of claim 1 and withdrawal of the rejection of claims 1 and dependent claims 2-5, 8-12, 14-18, and 21 is respectfully requested.

**III. REJECTION OF CLAIMS 1-5, 8-12, 14-18, AND 21 UNDER 35 U.S.C. §103(a) OVER ISONO ET AL.**

Claims 1-5, 8-12, 14-18, and 21 were also rejected 35 U.S.C. §103(a), as being unpatentable over Isono et al. (U.S. Patent No. 7,050,678). As discussed above, claim 21 has been amended to correct an inadvertent error. Applicant respectfully disagrees with the rejection, and withdrawal of the rejection is respectfully requested for at least the following reasons.

***i. The electrical drive and/or receiving circuit, is neither taught nor suggested by Isono et al.***

As stated above, claim 1 of the present invention recites a particular arrangement in which an electrical drive and/or receiving circuit is coupled to the transmitting and/or receiving element. ***In particular, a mount is provided for supporting the transmitting and/or receiving element, wherein the electrical drive and/or receiving circuit is arranged outside a holding and coupling part on a submount, and wherein the mount is arranged at right angles to the submount.*** Isono et al. fail to teach or suggest such a structure, and further fail to teach or suggest the electrical drive and/or receiving circuit arrangement. On page 10, lines 10-12 of the Office Action, reference is made to Fig. 10 and paragraph 61 of the detailed disclosure in regards to an alleged teaching of the electrical drive and/or receiving circuit of the present invention, as well as its arrangement. Applicant respectfully notes that paragraph 61 is not identified in the Isono et al. patent, and request clarification. Applicants note that a mention of an electrical circuit in the paragraph spanning cols. 9 and 10 of Isono et al. is made, but that the arrangement of the electrical drive and/or receiving circuit of claim 1 outside a holding and coupling part on a submount, and wherein the mount is arranged at right angles to the submount, is neither taught nor suggested. Fig. 10 of Isono et al. appears to disclose a mount 52 on which a light-emitting element 3a and light-receiving element 3b are attached. There is no disclosure of the electrical drive and/or receiving circuit being arranged outside a holding and

coupling part, as presently claimed, and no motivation is provided for one of ordinary skill in the art to modify the reference to arrive at the claimed invention.

In reference to claim 21 of the present invention, Figs. 4 and 5 of Isono et al. are cited as illustrating the claimed invention. Applicant notes that Figs. 4 and 5 of Isono et al. illustrate lead terminals 7 connected to a module 12. However, as stated above, the claimed electrical drive and/or receiving circuit and arrangement thereof is neither taught nor suggested by Isono et al.

Accordingly, claim 1 is neither taught nor suggested in Isono et al., and no motivation is provided for one of ordinary skill in the art to modify the reference to arrive at the claimed invention. Thus, claim 1 and independent claims 2-5, 8-12, 14-18, and 21 are believed to be allowable over the cited art, and withdrawal of the rejection is respectfully requested.

**V. CONCLUSION**

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 50-1733, MAIKP174WOUS.

Respectfully submitted,  
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